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IPW

Attorney Docket Number: 21465-508 UTIL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICANTS:	Jan BERKA, <i>et al.</i>	EXAMINER:	Not Yet Assigned
SERIAL NO.:	10/767,899	ART UNIT:	1645
FILING DATE:	January 28, 2004	CONF. NO.:	6163
FOR:	BEAD EMULSION NUCLEIC ACID AMPLIFICATION		

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**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Transmitted herewith for filing in the present application are the following:

1. Supplemental Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (2 pages), in duplicate;
3. Cited References A20-A21; B32-B33; C50-C60; and
4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (212) 935-3000.

The Commissioner is authorized to charge any fees that may be due to the undersigned's account, Deposit Account No. **50-0311** Ref. No. **21465-508 UTIL**. Please address all correspondence to Customer No. **35437**. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Date: December 6, 2005

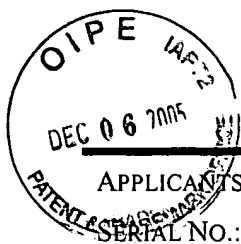
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Ivor R. Elrifi, Reg. No. 39,529  
Caryn DeHoratius, Reg. No. 45,881  
MINTZ, LEVIN, COHN, FERRIS, *et al.*  
Attorneys for Applicants  
666 Third Avenue, 24<sup>th</sup> Floor  
New York, NY 10017  
Telephone: (212) 935-3000  
Telefax: (212) 983-3115

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby makes of record the documents listed on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. In accordance with MPEP §609(III)(A)(2), copies of the cited U.S. patents and U.S. publications are not required.

This Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-identified application. Accordingly, no fee or certification is believed required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims. It is also respectfully requested that the Examiner initial, sign and date, and return a copy of the signed modified Form PTO-1449 with the next U.S. PTO communication, to evidence that the cited information has been fully considered by the U.S. Patent and Trademark Office during the examination of this application.

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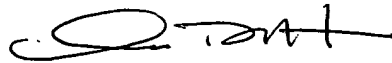
By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

The order of presentation of the references should not be construed as an indication of the importance of the references. The Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. **50-0311**, Reference No. **21465-508 UTIL**, Customer No. **35437**.

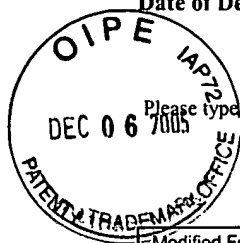
Respectfully submitted,

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Caryn DeHoratius, Reg. No. 45,881  
MINTZ, LEVIN, COHN, FERRIS, *et al.*  
Attorneys for Applicants  
666 Third Avenue, 24<sup>th</sup> Floor  
New York, NY 10017  
Telephone: (212) 935-3000  
Telefax: (212) 983-3115

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PTO/SB (12-97)  
OMB 0651-0031Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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Modified Form 1449/PTO  <b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	Application Number	10/767,899
	Filing Date	January 28, 2004
	First Named Inventor	Berka
	Group Art Unit	1645
	Examiner Name	Not Yet Assigned
	Attorney Docket Number	21465-508 UTIL

## U.S. PATENT DOCUMENTS

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date
	A20	6,258,858	07/10/01	Nakajima et al.	516	73	March 1, 1999
	A21	6,310,354	10/30/01	Hänninen et al.	250	458.1	July 13, 1999

## FOREIGN PATENT DOCUMENTS

Exam Initials	Cite No.	Foreign Patent Document Office	Number	Name of Patentee(s) or Applicant(s)	Date of Publication	English Yes	No
	B32	WO	04/069849 A2	454 Corporation	August 19, 2004	X	
	B33	WO	04/083443 A1	Caliper Technologies Corp.	September 30, 2004	X	

## NON PATENT LITERATURE DOCUMENTS

	C50	Chiou et al. (2001). "A Closed-Cycle Capillary Polymerase Chain Reaction Machine", <i>Analytical Chemistry, American Chemical Society</i> , <u>73</u> :2018-2021.
	C51	Katsura, et al. (2001). "Indirect Micromanipulation of Single Molecules in Water-in-Oil Emulsion", <i>Electrophoresis</i> , <u>22</u> :289-293.
	C52	Kawakatsu et al. (1997). "Regular-Sized Cell Creation in Microchannel Emulsification by Visual Microprocessing Method", <i>Journal of the American Oil Chemists' Society</i> , <u>74</u> :317-321.
	C53	Kopp et al. (1998). "Chemical Amplification: Continuous Flow PCR on a Chip", <i>Science, American Association for the Advancement of Science</i> , <u>280</u> :1046-1048.
	C54	Lund, et al. (1988). "Assesment of Methods for Covalent Binding of Nucleic Acids to Magnetic Beads, Dynabeads™, and the Characteristics of the Bound Nucleic Acids in Hybridization Reactions", <i>Nucleic Acids Research, Oxford University Press</i> , <u>16</u> , No. 22, 20 pgs.
	C55	Lundeberg et al. (1995). "Solid-Phase Technology: Magnetic Beads to Improve Nucleic Acid Detection and Analysis", <i>Biotechnology Annual Review</i> , <u>1</u> :373-401.
	C56	Nakano et al. (1994). "High Speed Polymerase Chain Reaction in Constant Flow", <i>Bioscience Biotechnology and Biochemistry</i> , <u>58</u> :349-352.
	C57	Nakano et al. (2003). "Single-Molecule PCR Using Water-in-Oil Emulsion", <i>Journal of Biotechnology</i> , <u>102</u> :117-124.
	C58	Park et al. (2003). "Cylindrical Compact Thermal-Cycling Device for Continuous-Flow Polymerase Chain Reaction", <i>Analytical Chemistry, American Chemical Society</i> , <u>75</u> :6029-6033.
	C59	Russom et al. (2003). "Single-Nucleotide Polymorphism Analysis by Allele-Specific Extension of Fluorescently Labeled Nucleotides in a Microfluidic Flow-Through Device", <i>Electrophoresis</i> , <u>24</u> :158-161.
	C60	Schneegass et al. (2001). "Miniaturized Flow-Through PCR With Different Template Types in a Silicone Chip Thermocycler", <i>Lab on a Chip, Royal Society of Chemistry</i> , <u>1</u> :42-49.

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\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.